2022 Sustainability Guidelines
Clarifications and Frequently Asked Questions

General Guidelines (Applicable to both NC and EB)

Sustainability Roadmap Update: Please note the Climate Action Council's draft scoping plan indicates that new construction low-rise projects shall be all-electric by 2024 and new construction high-rise by 2027. This update was made after Version 1 of the Sustainability Guidelines were posted, as such the roadmap is currently out of date. This discrepancy will be reconciled in future versions of the Sustainability Guidelines.
**Updated on 3/2/2023*

Q: Can I pursue a rating system that is not listed in the Sustainability Guidelines?
(Referenced on page 15 of the NC Guidelines / pages 15,16 of the EB Guidelines)

A: If a project team believes there is a third-party rating or certification system that is equivalent to the options listed in the Sustainability Guidelines, the project team can submit a waiver request, being sure to provide clear justification as to which rating system the proposed replacement is equivalent to. The Waiver Request Form can be obtained online at http://www.hcr.ny.gov. Should the rating system be deemed equivalent, a project specific waiver would be made available.

Q: The Sustainability Design Guidelines reference LEED v4.1. Can I pursue LEED v4 instead?
(Referenced on page 15 of the NC Guidelines / pages 15,16 of the EB Guidelines)

A: Yes, currently project teams are allowed to pursue LEED v4, LEED v4 with LEED v4.1 credit substitutions, or LEED v4.1.

Q: If my project pursues LEED v4, what rating system and certification level is required?*
(Referenced on page 15 of the NC Guidelines / pages 15,16 of the EB Guidelines)

A: Projects are eligible to pursue (1) LEED v4 BD+C Homes and Multifamily Lowrise (2) LEED v4 BD+C Multifamily Midrise or (3) LEED v4 BD+C New Construction. Project teams must select the applicable rating system based on the project details, including number of stories. The Baseline certification requirement remains Silver or Higher for projects pursuing LEED v4.

Q: My project is pursuing LEED Zero Energy to comply with third-party Stretch Goal Certifications for New Construction / Adaptive Reuse. Does the project also need to pursue LEED BD+C?
(Referenced on page 15 of the NC Guidelines / pages 15 of the EB Guidelines)

A: Yes, to meet the Stretch Certification requirements projects must pursue both LEED Zero Energy AND LEED v4 / v4.1 BD+C with a rating of Gold or higher.

Q: Is off-site renewable energy an acceptable option to achieve LEED Zero Energy, or does all renewable energy need to be generated on-site?

A: HCR does not currently specify a required path for compliance provided the proposed solution complies with the LEED Zero requirements. The project team is responsible for securing funding sources to cover the purchase of procuring off-site renewable energy as HCR and CEI funds will not cover those expenses. The project team should include their approach to LEED Zero in the application as well as funding sources.

Q: The guidelines indicate fossil fuel-based emergency back-up power generation is allowed if project teams provide certification that the generators will only be used when the electric grid power fails. Who is responsible for providing this information?*
(Referenced on page 15 of the NC Guidelines / pages 16 of the EB Guidelines)

A: The project Developer is responsible for summarizing the operational intent of the generator and providing a signed letter.

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Q: Can you provide additional detail about the minimum required coefficient of performance (COP) for cold climate heat pumps?
(Referenced on page 18 of the NC Guidelines / page 26 of the EB Guidelines)

A: The listed COP of 3.5 or higher is intended to be the heating performance relative to the applicable standard rating conditions. For example, for Air-Source Heat Pumps this corresponds to AHRI Standard Rating Conditions for heating at an outdoor temperature of 47 °F.

A waiver request can be submitted for heat pumps over 135,000 Btu/h if compliance with NYSECC minimum performance requirements (C403) can be demonstrated.

Q: What does "Cold Climate" refer to regarding Heat Pumps?
(Referenced on page 18 of the NC Guidelines / page 26 of the EB Guidelines)

A: A cold climate heat pump is a heat pump that can operate efficiently in freezing temperatures. Air-source heat pumps suitable for cold climates are often abbreviated as ccASHP. Project teams are encouraged to reference the Northeast Energy Efficiency Partnerships (NEEP) cold climate heat pump list to identify compliant ASHP products: https://ashp.neep.org/

Q: What is required to satisfy the BACnet connection requirement for central VRF systems?

(Referenced on page 20 of the NC Guidelines / pages 27,29 of the EB Guidelines)

A: The installed system must be capable of monitoring temperature setpoints and transmitting data to a website or external interface to comply. A front end Building Management System is not required.

Q: Under Section 3 - Resiliency, there is a requirement for shelter-in-place Community Room space in Elderly Projects and projects providing housing to persons with special needs in at least 50% of the dwelling units. The area requirement for this shelter-in-place space is stated as 15 square feet per resident. This is a significant increase for the Community Room size requirement of the Design Guidelines. Can you please clarify this requirement? Is it acceptable to utilize other common areas of the building to meet this criterion?
(Referenced on pages 30-31 of the NC Guidelines / pages 40-41 of the EB Guidelines)

*A: In both the New Construction and Existing Building Sustainability Guidelines, this is a typo, and should read: "A community room at least 15 square feet per **bedroom** in size that could serve as a shelter-in-place location for residents. The community room must include back up power generation to the following:*

i. Electrical outlets,
ii. At least one refrigerator, kitchen sink and microwave or range,
iii. At least one accessible bathroom,
iv. Heating and cooling, and
v. Domestic hot water"

Additionally, other residential common areas may be combined with the Community Room to meet the area requirement, as long as those spaces are also provided with back-up power generation.

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New Construction

Q: What is required to satisfy the commissioning requirements?
(Referenced on page 21 of the NC Guidelines)

A: As a best practice, HCR suggests all project teams follow ASHRAE/IES Standard 202 for commissioning, or where a third-party certification standard or local or state building code (such as NY ECC 2020) is more stringent, that standard is met and complied with.

Q: How can projects meet the NYSERDA New Construction – Housing Program third-party certification requirement for 4% HFA projects if the program is now closed?*
(Referenced on page 15 of the NC Guidelines)

A: Although the NC-H program is now closed, projects can still satisfy this requirement by complying with the latest published version of the program available here:

https://portal.nyserda.ny.gov/servlet/servlet.FileDownload?file=00P8z000000h2fbEAA

As detailed in Section 5. Third-Party Standards and Performance Thresholds, project teams must comply with one of the listed certifications included under the "Carbon Neutral-Ready" category. Note the CEI program has also been deemed equivalent (a proxy) for CBI (the green bond certification required for 4% HFA projects). As such, if a 4% project is pursuing and awarded CEI funding, no further action is needed to satisfy the requirement.

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Existing Buildings

Q: My project is categorized as Adaptive Reuse/Substantial Rehabilitation and the team is having difficulty complying with one of the available Stretch Certification requirements. What can I do?
(Referenced on pages 15-16 of the EB Guidelines)

A: In addition to the rating systems currently listed in the Existing Building Sustainability Guidelines, the following programs may be pursued to comply with Adaptive Reuse/Substantial Rehabilitation Section 1 Stretch Goals:

- *PHI Low Energy Building Standard*
- *EnerPHIT*

The project team should be clear to explain in their narrative why this alternative pathway was chosen.

If the project is a historic building governed by SHPO, project teams can opt to follow the Existing Building Substantial Rehabilitation pathway instead of Adaptive Reuse by submitting a waiver request. The Waiver Request Form can be obtained online at http://www.hcr.ny.gov.

Q: My project is categorized as Substantial/Moderate Rehabilitation and is making improvements to an individual envelope component (i.e., exterior walls). How do I comply with the Baseline envelope requirements in Section 2 of the Existing Building Sustainability Guidelines?
(Referenced on page 23 of the EB Guidelines)

A: For component replacements, demonstrate that the applicable envelope component assembly U-value is at least 15% more efficient than the prescriptive thermal performance requirements listed in the NY State Energy Conservation Construction Code 2020 Table R402.1.4 for residential applications or C402.1.4 for commercial applications.